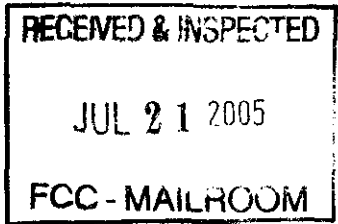


## Aiken County Public Schools

1000 Brookhaven Drive • Aiken, South Carolina 29803

Dal E. Stanley, Executive Director  
Educational Technology  
(803) 641-2443 - FAX (803) 641-2441



July 19, 2005

FCC  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: CC Docket No. 02-6

Ref: Billed Entity Number: 127246  
Form 471 Application Number: 397612  
Funding Year 2004: 07/01/2004 – 06/30/2005  
FRN: 1170400 and 1170455

On May 27, 2005 we received a Denial to an appeal we filed January 31, 2005 for the above mentioned 471 applications and related FRN's. We are filling this letter to appeal their decision.

On September 22, 2004 we responded to a request by the SLC dated September 21, 2004 for additional information. A copy of that response is attached. We inadvertently responded to these questions in the PIA review (see attached) in a way that was misinterpreted for the approval and eligibility of maintenance and technical support with respect to a "vendor provided technician."

In order to clarify this, attached is a copy of RFP #P4-1 outlining the Scope of Work Services needed for outsourcing technical support at schools qualifying for a USF discount of 80-90%. ANC Group, Inc. with a SPIN number of 143020733 was awarded RFP #P4-1. The networking technician outsourced by ANC Group, Inc. to Aiken County Schools is a "vendor provided technician" and not a salaried employee of the district.

The outsourced technical support provided by ANC Group was approved from the responses on RFP #P4-1. The clearly defines that the technical support in Aiken County Schools is totally "vendor provided".

I hope this provides sufficient documentation validating that the technician referenced in the PIA review is not a technician employed by the school district, but a "vendor provided technician" outsourced from ANC Group, Inc.

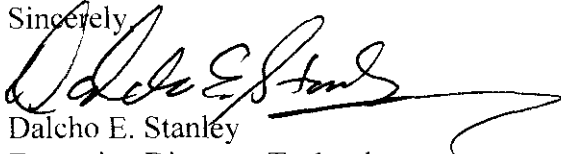
We apologize for the misinterpretation provided by our own initial PIA review response and hope that this second appeal letter warrants re-consideration for the approval of 471 application # 397612.

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We greatly appreciated the consideration your give us regarding this response.

If I can provide any additional information, please feel free to contact me at (803) 641-2443 or [dstanley@aiken.k12.sc.us](mailto:dstanley@aiken.k12.sc.us).

Sincerely,



Dalcho E. Stanley  
Executive Director, Technology

Attachments

Appeal Denial Letter  
PIA Response dated 9/21/04  
Scope of Work Service RFP #P4-1

REC'D MAY 31 2005

Dalcho E. Stanley  
Aiken County Public Schools  
1000 Brookhaven Drive  
Aiken, SC 29803



**Universal Service Administrative Company**  
Schools & Libraries Division

---

**Administrator's Decision on Appeal – Funding Year 2004-2005**

May 27, 2005

Dalcho E. Stanley  
Aiken County Public Schools  
1000 Brookhaven Drive  
Aiken, SC 29803

Re: Applicant Name: AIKEN COUNTY SCHOOLS  
Billed Entity Number: 127246  
Form 471 Application Number: 397612  
Funding Request Number(s): 1170400, 1170455  
Your Correspondence Dated: January 31, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1170400, 1170455  
Decision on Appeal: Denied  
Explanation:

- In your appeal letter, you state that the services for technical support of your network and network equipment are approved services. In support of this statement, you have provided a copy of the SLD's Eligible Service list for 2004, which describes "Maintenance and Technical Support." You also contend that since this has been an approved service in the past you would like to rectify this error during the appeal process.
- Upon review of the appeal letter, its relevant facts, and documentation, it was determined that information provided during the initial review indicated that the funding request was for an annual on-site support contract for a Level 3 Technician. The salary for a Technician is considered an ineligible product per program rules and these ineligible charges constitute 100% of the funding request.

Rules of the support mechanism mandate the denial of funding requests that include at least 30% ineligible products and/or services. In the SLD's Service Eligibility description for Maintenance and Technical Support, it clearly states, "Technical support is the assistance of a vendor provided technician." In response to questions asked during the PIA initial review, you answered that your Technician was on-site and paid for by the District. You have failed to provide evidence that your funding request contained less than 30% ineligible services or that SLD has erred in its decision.

- Your Form 471 application included costs for the following ineligible services: salary for technician. FCC rules provide that discounts may be approved only for eligible services. 47 C.F.R. §§ 54.502, 54.503. The USAC web site contains a list of eligible services. See the web site, [www.sl.universalservice.org](http://www.sl.universalservice.org), Eligible Services List. FCC rules require that if 30% or more of an applicant's funding request includes ineligible services, the funding request must be denied. 47 C.F.R. § 54.504(c)(1). 100% of your funding request was for ineligible services. Therefore, your funding request was denied. You did not demonstrate in your appeal that your request included less than 30% for ineligible services. Consequently, SLD denies your appeal.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

# Transmission Report

Date/Time  
Local ID  
Local Name  
Company Logo

9-22-04; 4:17PM  
8036412441  
Aiken Co. Schools  
EDUCATION TECHNOLOGY

This document was confirmed.  
(reduced sample and details below)  
Document Size Letter-S



Aiken County Public Schools  
Educational Technology  
1000 Brookhaven Drive  
Aiken, SC 29803

TO: Jaimi Smith  
Schools & Libraries Division, PIA Review

PHONE:  
FAX: 973-599-6513  
RE: 471 # 397612

FROM: FRAN WHITE  
PHONE: (803) 641-2407  
FAX: (803) 641-2441

DATE: September 22, 2004

## COMMENTS:

Jaimi,

See attached.

If you need any additional clarification, please contact me by phone or email.  
Thank you,

Fran White  
803-641-2407  
fwhite@aiken.k12.sc.us

Total number of pages (including cover sheet) 2

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
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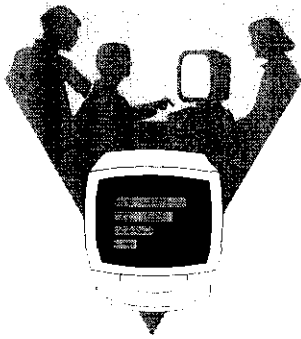
## Notes :

EC: Error Correct  
BC: Broadcast Send  
CP: Completed  
HS: Host Scan  
HP: Host Fax

RE: Resend  
MP: Multi-Poll  
RM: Receive to Memory  
HP: Host Print  
HR: Host Receive

PD: Pollled by Remote  
PG: Polling a Remote  
DR: Document Removed  
FO: Forced Output  
FM: Forward Mailbox Doc.

NB: Receive to Mailbox  
PI: Power Interruption  
TM: Terminated by user  
WT: Waiting Transfer  
WS: Waiting Send



**Aiken County Public Schools**  
Educational Technology  
1000 Brookhaven Drive  
Aiken, SC 29803

**TO:** Jaimi Smith  
Schools & Libraries Division, PIA Review

**PHONE:**

**FAX:** 973-599-6513

**RE:** 471 # 397612

**FROM:** FRAN WHITE

**PHONE:** (803) 641-2407

**FAX:** (803) 641-2441

**DATE:** September 22, 2004

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**COMMENTS:**

Jaimi,

See attached.

If you need any additional clarification, please contact me by phone or email.  
Thank you,

Fran White  
803-641-2407  
fwhite@aiken.k12.sc.us

Total number of pages (including cover sheet) 2

September 22, 2004

To: Jaimi Smith, Schools & Libraries Division

From: *Fran White*  
Fran White, Aiken County Schools

Subject: 471 Application #397612 for Year 2004-2005

Here are the answers to your email dated September 21, 2004:

1) Is the tech officed at the school?

**Yes, the tech is officed on-site for the schools.**

2) Is the school his full time work location or does he report to the vendors location and come to the school when required?

**No, the tech does not report to the vendor location but reports on-site to the school district to provide services for those E-Rate schools.**

If you have any additional questions, please contact me by phone or email.

Attachment

pc: Dal Stanley, Executive Director Technology

**From:** "Jaimi Smith" <jsmith@sl.universalservice.org>  
**To:** <fwhite@aiken.k12.sc.us>  
**Date:** 9/21/04 10:25:47 AM  
**Subject:** E-Rate App 397612

Good morning Fran,

I have a question regarding application 397612. (1) Is the tech officed at the school? and (2) Is the school his full time work location or does he report to the vendors location and come to the school when required?

Jaimi Smith  
PIA Review  
Universal Service Administrative Company  
Schools & Library Division  
Voice: 973-560-4455  
Fax: 973-599-6513  
Email: JSmith@SL.UniversalService.Org

# **Scope of Work**

## **Maintenance/Tech Support**

E-Rate Year 2004 Funding Year for  
470 Application #772920000473121

**RFP # P4-1**

**December 12, 2003**

**Aiken County Schools**  
**1000 Brookhaven Drive**  
**Aiken, SC 29803**

## **INTRODUCTION**

### **General Information Overview**

**Aiken County Schools** is requesting proposals from State of South Carolina Vendors for ongoing network maintenance for schools that qualify for a USF Discount of 80 – 90%.

The issuance of a contract for the 2004-2005 school year for network maintenance services is contingent upon the award of funding from the Schools and Libraries Division (E-Rate) for funding year 2004. Installation of E-Rate Eligible equipment must be completed over a 12-month period beginning July 1, 2004 and ending June 30, 2005.

### **PURPOSE:**

**Aiken County Schools** is seeking participants to submit responses to “Scope of Work Proposal” for maintenance on e-rate eligible services to include internal connections. Interested parties will be required to submit responses to this “Scope of Work” to include State of South Carolina Contract Number for temporary services and SERVICES PROVIDER INFORMATION NUMBER (SPIN).

### **PROPOSAL FORMAT:**

Proposals must be submitted in the format outlined in this document. Each proposal will be reviewed to determine if it is complete prior to actual evaluation. Proposals not containing the information requested will not be considered. Respondents shall use the prescribed format to clearly indicate their experience and qualifications, describe their technical approach to the district project, and fully describe their proposal.

Proposals will be evaluated in light of the material and substantiating evidence presented in the proposal, and not on the basis of what is inferred.

### **PROPOSAL(S) MUST BE RECEIVED BY:**

Proposal(s) are due by 1:00 PM. On – January 9, 2004 at

**Aiken County Schools**  
**Technology Department – Attn: Dal Stanley**  
 1000 Brookhaven Drive  
 Aiken, SC 29803

To be considered, each proposal must be physically in the possession of the Director of Technology at that time. Proposals received after that date and time will not be considered.

Contents of proposals from competing companies shall not be disclosed during the process of negotiation. Proposals shall be open for public inspection after contract award. Proprietary or confidential information specifically marked as such in each proposal shall not be disclosed without written consent of the company.

A signature of a person authorized to contract for the company is required. The signature must be in ink.

You will need to provide 1 original copy of your proposal and 2 additional copies.

Please insert the exact company name and the signature of responsible person to contact on your quotation.

If U.S. Mail is used to forward your proposal, please allow adequate time to ensure delivery. Proposals received after the time shown will not be considered. Mark your envelope with your company name and Request for Proposal e-rate.

**COMPANY RESPONSIBILITY:**

The selected Company will be required to assume total responsibility for all services offered in this proposal. The selected Company will be considered the prime Company and the sole point of contact with regard to all contractual matters. The Company shall submit periodic progress reports. The Company must agree to participate in stages of the e-rate process.

**TAXES, FEES, CODE, COMPLIANCE, LICENSING:**

The Company shall be responsible for payment of any required taxes or fees associated with the contract. These taxes and/or fees will be clearly noted within the proposal. The Company shall be responsible for compliance with all applicable code and statutes and permitting requirements. All engineering, design-installation, and construction work shall be done by Companies licensed in the State of South Carolina.

**REFERENCES AND PROPRIETY INFORMATION:**

Submission of a response grants permission to make inquiries concerning the respondent and its officers to any persons or firms deemed appropriate by the district. Any proprietary information that the Company does not want disclosed to the public shall be so identified on each page in which it is found. The district solely for the purpose of evaluation and contract negotiations will use data or information so identified.

**COMPANY QUALIFICATIONS AND OBLIGATIONS:**

**All companies must meet or exceed the minimum qualifications requirements:**

Refer to the Proposal Format section for qualifications and obligations.

**COST PROPOSAL:**

**Aiken County Schools** is seeking a firm, fixed price proposal for each 470 Application Number. Proposals received must include an itemized listing of any and all charges associated with completion of the project to include parts, installation, tax, project management, per-diem, travel, insurance, rentals and miscellaneous expenses. All companies are solely responsible for the accuracy of all measurements and counts. Additionally, each company will submit daily rates for ongoing multi-year maintenance of E-Rate eligible equipment as defined in the Maintenance Agreement Section.

**CONTRACT TERM:**

Inception of this project is contingent on the award of E-Rate funding. Work will begin after July 1, 2004 and be completed before June 30, 2005. Work will be coordinated with on-going renovation and construction projects if any.

## **Proposal Format**

All offerors must provide at a minimum, the following information. **Any portion not included will be cause for possible elimination from the proposal process.** Each response will be reviewed to determine if it is complete prior to actual evaluation. The information should be organized as indicated below. Any portions of the submitted proposal, which are to be treated by the District as proprietary and confidential information, must be clearly marked as such. *Clarity and brevity are considered important in proposal preparation.*

**Aiken County Schools** reserves the right to eliminate from further consideration any response, which is deemed to be substantially or materially unresponsive to the requests for information, contained in this section. The intent of the district is that all responses follow the same format in order to evaluate each response fairly. Proposals will be evaluated in light of the material, and substantiation evidence presented in the proposal, and not on the basis of what is inferred.

### **I. Table of Contents**

Responses shall include a table of contents properly indicating the section and page numbers of the information included.

### **II. Understanding of the Project**

Each company shall complete a concise abstract stating the respondent's overview of the project. Clearly state all Form 470 Applications Numbers you are responding to in your proposal.

### **III. Company Qualifications- Provide firm profile, concerning the following items:**

The Proposer should submit a company profile; an organization chart; a statement of qualifications; vendor relationships; copies of Novell, Cisco, Microsoft, and similar certifications; and resumes of Account Executives, Project Managers, and key systems engineers.

### **IV. Company Client Base/References**

The company must have a minimum of five (5) references of jobs completed within the past two years. These references must be school districts.

### **V. Cost**

A total sheet summary for each Form 470 Application Number will be required for the overall proposal to include: labor, tools, network electronics, travel expenses, maintenance, SC state sales tax and all other cost that may be incurred.

**Maintenance**

The District is seeking maintenance on E-Rate eligible equipment that will include 120 days of on-site maintenance. In addition, Aiken County Schools is seeking remote support on all E-Rate eligible items in the district. Proposer should show unit costs for engineering support on a daily basis as well as extended costs for the 120-day period. All expenses must be included in the unit/extended costs. It may be required that the extended costs should take into account after hours work. The District will make no additional compensation to the selected vendor for these services.

**Multi-Year Contract**

The District is requesting that the selected vendor enter into a one-year contract for E-Rate Eligible Equipment and Services with the option to extend the contract on an annual basis if determined to be in the best interest of the District. The contract shall begin on July 1, 2004 and can be extended after the one-year period on an annual basis at the sole discretion of the District. The District reserves the right to purchase E-Rate eligible equipment off of the South Carolina State Contract. For Year 2, if different from Year 1, Proposer should provide daily rates for installation and maintenance services.